

1548 SW Mockingbird Circle
Port St. Lucie, FL 34986
September 18, 2012

Honorable James M. Peck
United States Bankruptcy Court
One Bowling Green
New York, NY 10004

Dear Judge Peck:

Marilyn Nader suffered a heart attack on August 29, 2012. As a result, she required triple bypass surgery several days later.

Who is Marilyn Nader? She is a Lehman Brothers retiree who is now in real danger of losing her Retiree Medical Benefits Plan.

This is a real-life story that hits home. It is exactly what I warned about: that we retirees will have, or already have, pre-existing conditions which will make obtaining medical benefits prohibitively expensive, especially because we are on fixed incomes.

Marilyn worked as the Administrative Assistant to Frederick Frank, Vice Chairman in the Investment Banking Division, from 1968 to 2003. She was a very loyal, dedicated, totally professional and excellent assistant. She retired after 35 years of service . . . and now, requiring medications for life and a heart condition that needs to be seriously and diligently managed, she is in danger of losing her promised retiree medical benefits plan. This only adds to her stress at a time when she should be concentrating on recuperation, not on broken promises.

I cannot stress enough how serious this problem is, and it is a problem that Your Honor can solve easily by requiring Lehman Brothers to live up to its inherent promise to its retired employees: continue the Retiree Medical Benefits Plan for our lives. It's that simple.

Lehman purchased BofA's and Barclay's stakes in Archstone for \$1.3 billion and then bought the remaining stake for \$1.58 billion. Bankruptcy expenses, legal and advisory fees of \$1.5 billion were also paid, and \$65 billion went to Lehman creditors. How can it be justified that billions and billions of dollars have already been spent, but Lehman cannot find a mere fraction of this amount to fund the Retiree Medical Benefits Plan? I have yet to receive a justifiable explanation for this outrageous absurdity.

Marilyn deserves to rest a little easier, knowing that her future health care is secure. It is in your hands, Judge, and I implore you to remember us: this small, loyal group of retirees who are asking Lehman Brothers to live up to its promise of health care benefits for life. We are requesting it; you can require it!

Thank you, Judge.



Sincerely,

Armita M. Fucci
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